



BOX AF  
RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2851

02975.000012

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                             |   |                      |
|-----------------------------|---|----------------------|
| In re Application of:       | ) |                      |
|                             | : | Examiner: A. Smith   |
| MASANORI OHTSUKA            | ) |                      |
|                             | : | Group Art Unit: 2851 |
| Application No.: 10/006,650 | ) |                      |
|                             | : |                      |
| Filed: December 10, 2001    | ) |                      |
|                             | : |                      |
| For: PHOTOMETRIC DEVICE     | ) | December 22, 2003    |
| AND CAMERA                  | : |                      |

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TECHNOLOGY CENTER 2800

DEC 30 2003

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RESPONSE TO OFFICE ACTION

Sir:

Applicant petitions to extend the time for response to the Office Action dated June 23, 2003, for three months, from September 23, 2003 to December 23, 2003. A check in the amount of \$950.00 for payment of the extension fee is enclosed. Please charge any additional fee required for the extension, and credit any overpayment, to Deposit Account 06-1205.

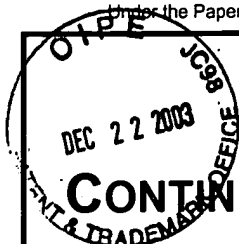
RCE

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10/006,650        |
| Filing Date            | December 10, 2001 |
| First Named Inventor   | MASANORI OHTSUKA  |
| Group Art Unit         | 2851              |
| Examiner Name          | A. Smith          |
| Attorney Docket Number | 02975.000012      |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for Extension of Time and a check in the amount of \$950.00.

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## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 12/23/2003 SZENDIE1 00000099 10006650
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:1601 770.00 OP
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$1,720.00 is enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |                  |                                   |                   |
|-------------------|------------------|-----------------------------------|-------------------|
| Name (Print/Type) | Justin J. Oliver | Registration No. (Attorney/Agent) | 44,986            |
| Signature         |                  | Date                              | December 22, 2003 |

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

|                   |  |
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| Name (Print/Type) |  |
| Signature         |  |
| Date              |  |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Director of the U.S.P.T.O., P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JJO/gmc

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| First Named Inventor   | MASANORI OHTSUKA  |
| Group Art Unit         | 2851              |
| Examiner Name          | A. Smith          |
| Attorney Docket Number | 02975.000012      |

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- iv. ☒ Other Petition for Extension of Time and a check in the amount of \$950.00.

## 2. Miscellaneous

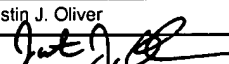
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- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$1,720.00 is enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |   |                                   |                   |
|-------------------|---|-----------------------------------|-------------------|
| Name (Print/Type) | Justin J. Oliver  | Registration No. (Attorney/Agent) | 44,986            |
| Signature         |  | Date                              | December 22, 2003 |

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|                   |  |      |  |
|-------------------|--|------|--|
| Name (Print/Type) |  | Date |  |
| Signature         |  | Date |  |

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In re Application of:

Docket No. 02975.000012

MASANORI OHTSUKA

Application No.: 10/006,650

Examiner: A. Smith

Filed: December 10, 2001

Group Art Unit: 2851

For: PHOTOMETRIC DEVICE  
AND CAMERA

Date: December 22, 2003

**MAIL STOP AF**  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below

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| CLAIMS AS AMENDED                             |   |       |                                       |                  |                |                   |
|---|---|-------|---------------------------------------|------------------|----------------|-------------------|
|   | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT |       | HIGHEST NO.<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA | RATE           | ADDITIONAL<br>FEE |
| TOTAL<br>CLAIMS                               | 85  | MINUS | 85                                    | 0                | x \$9<br>\$18  | 0                 |
| INDEP.<br>CLAIMS                              | 4   | MINUS | 4                                     | 0                | x \$43<br>\$86 | 0                 |
| Fee for Multiple Dependent claims \$145/\$290 |   |       |                                       |                  |                |                   |
| TOTAL ADDITIONAL FEE<br>FOR THIS AMENDMENT--- |   |       |                                       |                  |                | 0                 |

☐ °Verified Statement claiming small entity status is enclosed, if not filed previously.

☐ A check in the amount of \$\_\_\_\_ is enclosed.

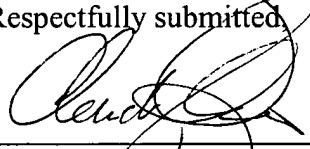
☐ Charge \$\_\_\_\_ to Deposit Account No. 06-1205. A duplicate of this sheet is enclosed.

☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate of this paper is enclosed.

☒ A check in the amount of \$950.00 to cover the fee for a three (3) month extension is enclosed.

☐ A check in the amount of \$\_\_\_\_ to cover the Information Disclosure Statement fee is enclosed.

☒ Applicant's attorney may be reached in our Washington D.C. Office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,  
  
\_\_\_\_\_  
Attorney for Applicant  
Registration No. 32,078

FITZPATRICK, CELLA, HARPER & SCINTO  
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CPW/gmc